JC02 Rec'd PCT/PTC 0.9 MAY 2005 PCAU: 1654 Receipt date: 05/09/2005 MAY 0 9 2005 PTO/SB/21 (08-03) Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Application Number 10/523,250 Filing Date TRANSMITTAL January 26, 2005 First Named Inventor **FORM** Marc K. HELLERSTEIN Art Unit **Not Yet Assigned** (to be used for all correspondence after initial filing) **Examiner Name Not Yet Assigned** 19 + 185Attorney Docket Number Total Number of Pages in This Submission 416272003800 Refs. ENCLOSURES (Check all that apply) After Allowance Communication Fee Transmittal Drawing(s) to Group Appeal Communication to Board of Fee Attached Licensing-related Papers Appeals and Interferences Appeal Communication to Group Petition Amendment/Reply (Appeal Notice, Brief, Reply Brief) Petition to Convert to a After Final Proprietary Information Provisional Application Power of Attorney, Revocation Affidavits/declaration(s) Status Letter Change of Correspondence Address Other Enclosure(s) (please Extension of Time Request Terminal Disclaimer identify below): 1. One Copy of each 185 Cited **Express Abandonment Request** Request for Refund References Information Disclosure Statement 2. Return Receipt Postcard CD, Number of CD(s) w/ Form PTO/SB/08a/b (18 pages) Certified Copy of Priority Document(s) Remarks Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

(Leah Kjellen)

MORRISON & FOERSTER LLP (Customer No. 20872)

Michael R. Ward - Reg. No. 38,651

Signature:

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Dated: May 4, 2005

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Individual name

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regreby certify that this correspondence is being deposited with the U.S. Postal Service as the Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: May

2005\_

Signature:

(Leah Kjellen)

Patent Docket No. 416272003800 B01-075

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Marc K. HELLERSTEIN

Serial No.: 10/523,250

Filing Date: January 26, 2005

METHOD FOR AUTOMATED, LARGE-SCALE MEASUREMENT OF THE MOLECULAR FLUX RATES OF THE PROTEOME OR THE ORGANEOME USING MASS SPECTROMETRY Examiner: Not Yet Assigned

Group Art Unit: Not Yet Assigned

#### SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98

MS Amendment Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §1.97 and § 1.98, Applicant submit for consideration in the above-identified application the documents listed on the attached Form PTO/SB/08a/b. Copies of foreign documents and non-patent literature are submitted herewith. The Examiner is requested to make these documents of record.

10523250 - GAU: 1654

Docket No. 416272003800 Application No. 10/523,250 2 Supplemental Information Disclosure Statement

Supp	iciliciliai ili	normation Disclosure Statement
	This Su	pplemental Information Disclosure Statement is submitted:
	With	the application; accordingly, no fee or separate requirements are required.
	Before	e the mailing of a first Office Action after the filing of a Request for Continued
	Exam	ination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97
	(e)(1)	has been provided.
$\boxtimes$	Withi	n three months of the application filing date or before mailing of a first Office
	Action	n on the merits; accordingly, no fee or separate requirements are required.
	Howe	ver, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
	After	receipt of a first Office Action on the merits but before mailing of a final Office Action
	or No	tice of Allowance.
		A fee is required. A check in the amount of is enclosed.
		A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to
		this submission in duplicate.
		A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly; no fee is
		believed to be due.
	After	mailing of a final Office Action or Notice of Allowance, but before payment of the
	issue i	fee.
		A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the
		amount of is enclosed.
		A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal
		form (PTO/SB/17 is attached to this submission in duplicate.)
	Aj	pplicant would appreciate the Examiner initialing and returning the Form

PTO/SB/08a/b, indicating that the information has been considered and made of record herein.

The information contained in this Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

Receipt date: 05/09/2005 10523250 - GAU: 1654

Application No. 10/523,250 Supplemental Information Disclosure Statement 3

Docket No. 416272003800

In the unlikely event that the transmittal form is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17 (p)) is required, Applicant petitions for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petition and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. **416272003800**.

Dated: May 6, 2005

Respectfully submitted,

Michael R. Ward

Registration No.: 38,651

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Sheet	1	of	15
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	Complete if Known
Application Number	10/523,250
Filing Date	January 26, 2005
First Named Inventor	Marc K. HELLERSTEIN
Art Unit	Not Yet Assigned
Examiner Name	Not Yet Assigned
Attorney Docket Number	416272003800

	U.S. PATENT DOCUMENTS				
Examiner Initials*	Cite No.1	Document Number  Number-Kind Code <sup>2</sup> ( <i>ii known</i> )	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1.	US-4,332,784	06-01-1982	Smith et al.	riguies Appeai
	2.	US-5,338,686	08-16-1994	Hellerstein	
	3.	US-5,439,803	08-08-1995	Ross et al.	
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	12.	US-6,653,076	11-25-2003	Franza, Jr. et al.	
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		US-11/078,083	FD 03-11-2005	Hellerstein	
	35.	US-11/094,387	FD 03-29-2005	Hellerstein	

Examiner	Date
Signature	Considered

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ALTERNATIVE TO PTO/SB/08a/b (06-03)

Substitute for form 1449/PTO				Complete if Known		
				Application Number	10/523,250	
l IN	NFORMATION	I DI	SCLOSURE	Filing Date	January 26, 2005	
l s	TATEMENT E	3Y /	APPLICANT	First Named Inventor	Marc K. HELLERSTEIN	
				Art Unit	Not Yet Assigned	
	(Use as many sh	eets as	necessary)	Examiner Name	Not Yet Assigned	
Sheet	2	of	15	Attorney Docket Number	416272003800	

	FOREIGN PATENT DOCUMENTS					
Examiner	Cite	Foreign Patent Document	Publication Date	Name of Patentee or	Pages, Columns, Lines, Where Relevant Passages	
Initials*	No.1	Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	MM-DD-YYYY	Applicant of Cited Document	or Relevant Figures Appear	T <sup>6</sup>
	36.	WO-90/11371	10-04-1990	Anticancer, Inc.		
	37.	WO-93/25705	12-23-1993	Barranco		
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	49.	WO-05/015155-A2	02/17/2005	Hellerstein		
	50.	WO-05/033652-A2	04/14/2005	Hellerstein		

'EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁵ Applicant is to place a check mark here if English language Translation is attached.

	NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²		
	51.	International Search Report mailed on April 13, 2004, for PCT			
		application no. PCT/US03/20052 filed on June 25, 2003, 3 pages			
	52.	International Search Report mailed July 8, 2004, for PCT patent			
		application no. PCT/US03/27623 filed on September 4, 2003, 4 pages			
	53.	International Search Report mailed on June 29, 2004, for PCT			
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Examiner	Date	
Signature	Considered	

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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Sheet 3 of 15
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	Complete if Known
Application Number	10/523,250
Filing Date	January 26, 2005
First Named Inventor	Marc K. HELLERSTEIN
Art Unit	Not Yet Assigned
Examiner Name	Not Yet Assigned
Attorney Docket Number	416272003800

<ol> <li>International Search Report mailed on March 25, 2005, for PCT application no. PCT/US04/39722 filed on November 24, 2004, 3 pages</li> <li>International Search Report mailed on April 4, 2005, for PCT application no. PCT/US04/21063 filed on June 29, 2004, 2 pages</li> <li>"New Diagnostic Technique Could Help Treat AIDS," Agence France-Presse, Dow Jones News/Retrieval, Feb. 17, 1998, pp. 1-2.</li> <li>ADAMI, H.O. et al. (1995) "The Aetiology and Pathogenesis of Human Breast Cancer" <i>Mutation Research</i> 333: 29-35</li> <li>AIRHART, J. et al. (1974) "Compartmentation of Free Amino Acids for Protein Synthesis in Rat Liver" <i>Biochem J.</i> 140: 539-545</li> <li>AJIE, H.O. et al. (1995) "In Vivo Study of the Biosynthesis of Long-Chain Fatty Acids Using Deuterated Water" <i>Am. J. Physiol.</i> 269: E247-E252</li> <li>ANDERSON, R.W. et al. (1998) "Direct HIV Cytopathicity Cannot Account for CD4 Decline in AIDS in the Presence of Homeostasis: A Worst-Case Dynamic Analysis" <i>J. AIDS and Human Retrovirology</i> 17:245-252</li> <li>ANTELO, Fernando et al. (2002) "Adipose Triglyceride (TG) Turnover and De Novo Lipogenesis (DNL) in Humans: Measurement by Long-Term 2H2O Labeling and Mass Isotopomer Distribution Analysis (MIDA)" Experimental Biology16 [Meeting Abstract 361.10]: A400</li> <li>ASHER, E. et al. (1995) "Evaluation of Cell Death in EBV-Transformed Lymphocytes Using Agarose Gel Electrophoresis, Light Microscopy and Electron Microscopy" Leukemia and Lymphoma 19:107-119</li> <li>ATTARDI, Giuseppe et al. (1988) "Biogenesis of Mitochondria." <i>Ann. Rev. Cell. Biol.</i> 4:289-333</li> <li>BACH, Simon P. et al. (2000) "Stem Cells: The Intestinal Stem as a Paradigm" Carcinogenesis 21(3): 469-476</li> <li>BANDSMA, Robert H.J. et al. (1998) "Contribution of Newly Synthesized Cholesterol to Rat Plasma and Bile Determined by Mass Isotopomer Distribution Analysis: Bile-Salt Flux Promotes Secretion of Newly Synthesized Cholesterol to Bile Salt Synthesis in Rats Quantified By Mass Isotopomer</li></ol>		57.	International Search Report mailed on January 19, 2005, for PCT application no. PCT/US03/29361 filed on September 15, 2003, 4 pages	
<ul> <li>application no. PCT//US04/21063 filed on June 29, 2004, 2 pages</li> <li>60. "New Diagnostic Technique Could Help Treat AIDS," Agence France-Presse, Dow Jones News/Retrieval, Feb. 17, 1998, pp. 1-2.</li> <li>61. ADAMI, H.O. et al. (1995) "The Aetiology and Pathogenesis of Human Breast Cancer" <i>Mutation Research</i> 333: 29-35</li> <li>62. AIRHART, J. et al. (1974) "Compartmentation of Free Amino Acids for Protein Synthesis in Rat Liver" <i>Biochem J.</i> 140: 539-545</li> <li>63. AJIE, H.O. et al. (1995) "In Vivo Study of the Biosynthesis of Long-Chain Fatty Acids Using Deuterated Water" <i>Am. J. Physiol.</i> 269: E247-E252</li> <li>64. ANDERSON, R.W. et al. (1998) "Direct HIV Cytopathicity Cannot Account for CD4 Decline in AIDS in the Presence of Homeostasis: A Worst-Case Dynamic Analysis" <i>J. AIDS and Human Retrovirology</i> 17:245-252</li> <li>65. ANTELO, Fernando et al. (2002) "Adipose Triglyceride (TG) Turnover and De Novo Lipogenesis (DNL) in Humans: Measurement by Long-Term 2H2O Labeling and Mass Isotopomer Distribution Analysis (MIDA)" Experimental Biology16 [Meeting Abstract 361.10]: A400</li> <li>66. ASHER, E. et al. (1995) "Evaluation of Cell Death in EBV-Transformed Lymphocytes Using Agarose Gel Electrophoresis, Light Microscopy and Electron Microscopy" <i>Leukemia and Lymphoma</i> 19:107-119</li> <li>67. ATTARDI, Giuseppe et al. (1988) "Biogenesis of Mitochondria." <i>Ann. Rev. Cell. Biol.</i> 4:289-333</li> <li>68. BACH, Simon P. et al. (2000) "Stem Cells: The Intestinal Stem as a Paradigm" Carcinogenesis 21(3): 469-476</li> <li>69. BANDSMA, Robert H.J. et al. (1998) "Contribution of Newly Synthesized Cholesterol to Rat Plasma and Bile Determined by Mass Isotopomer Distribution Analysis: Bile-Salt Flux Promotes Secretion of Newly Synthesized Cholesterol to Bile Salt Synthesis in Rats Quantified By Mass Isotopomer Distribution Analysis" <i>Biochemica et Biophysica Acta</i></li> </ul>	_	58.	1	
<ul> <li>Presse, Dow Jones News/Retrieval, Feb. 17, 1998, pp. 1-2.</li> <li>61. ADAMI, H.O. et al. (1995) "The Aetiology and Pathogenesis of Human Breast Cancer" <i>Mutation Research</i> 333: 29-35</li> <li>62. AIRHART, J. et al. (1974) "Compartmentation of Free Amino Acids for Protein Synthesis in Rat Liver" <i>Biochem J.</i> 140: 539-545</li> <li>63. AJIE, H.O. et al. (1995) "In Vivo Study of the Biosynthesis of Long-Chain Fatty Acids Using Deuterated Water" <i>Am. J. Physiol.</i> 269: E247-E252</li> <li>64. ANDERSON, R.W. et al. (1998) "Direct HIV Cytopathicity Cannot Account for CD4 Decline in AIDS in the Presence of Homeostasis: A Worst-Case Dynamic Analysis" <i>J. AIDS and Human Retrovirology</i> 17:245-252</li> <li>65. ANTELO, Fernando et al. (2002) "Adipose Triglyceride (TG) Turnover and De Novo Lipogenesis (DNL) in Humans: Measurement by Long-Term 2H2O Labeling and Mass Isotopomer Distribution Analysis (MIDA)" Experimental Biology16 [Meeting Abstract 361.10]: A400</li> <li>66. ASHER, E. et al. (1995) "Evaluation of Cell Death in EBV-Transformed Lymphocytes Using Agarose Gel Electrophoresis, Light Microscopy and Electron Microscopy" <i>Leukemia and Lymphoma</i> 19:107-119</li> <li>67. ATTARDI, Giuseppe et al. (1988) "Biogenesis of Mitochondria." <i>Ann. Rev. Cell. Biol.</i> 4:289-333</li> <li>68. BACH, Simon P. et al. (2000) "Stem Cells: The Intestinal Stem as a Paradigm" Carcinogenesis 21(3): 469-476</li> <li>69. BANDSMA, Robert H.J. et al. (1998) "Contribution of Newly Synthesized Cholesterol to Rat Plasma and Bile Determined by Mass Isotopomer Distribution Analysis: Bile-Salt Flux Promotes Secretion of Newly Synthesized Cholesterol into Bile" <i>Biochem. J.</i> 329: 699-703</li> <li>70. BANDSMA. Robert H.J. et al. (2000) "The Contribution of Newly Synthesized Cholesterol to Bile Salt Synthesis in Rats Quantified By Mass Isotopomer Distribution Analysis" <i>Biochemica et Biophysica Acta</i></li> </ul>		59.	application no. PCT//US04/21063 filed on June 29, 2004, 2 pages	
<ul> <li>Breast Cancer" <i>Mutation Research</i> 333: 29-35</li> <li>62. AIRHART, J. et al. (1974) "Compartmentation of Free Amino Acids for Protein Synthesis in Rat Liver" <i>Biochem J</i>. 140: 539-545</li> <li>63. AJIE, H.O. et al. (1995) "In Vivo Study of the Biosynthesis of Long-Chain Fatty Acids Using Deuterated Water" <i>Am. J. Physiol</i>. 269: E247-E252</li> <li>64. ANDERSON, R.W. et al. (1998) "Direct HIV Cytopathicity Cannot Account for CD4 Decline in AIDS in the Presence of Homeostasis: A Worst-Case Dynamic Analysis" <i>J. AIDS and Human Retrovirology</i> 17:245-252</li> <li>65. ANTELO, Fernando et al. (2002) "Adipose Triglyceride (TG) Turnover and De Novo Lipogenesis (DNL) in Humans: Measurement by Long-Term 2H2O Labeling and Mass Isotopomer Distribution Analysis (MIDA)" Experimental Biology16 [Meeting Abstract 361.10]: A400</li> <li>66. ASHER, E. et al. (1995) "Evaluation of Cell Death in EBV-Transformed Lymphocytes Using Agarose Gel Electrophoresis, Light Microscopy and Electron Microscopy" <i>Leukemia and Lymphoma</i> 19:107-119</li> <li>67. ATTARDI, Giuseppe et al. (1988) "Biogenesis of Mitochondria." <i>Ann. Rev. Cell. Biol.</i> 4:289-333</li> <li>68. BACH, Simon P. et al. (2000) "Stem Cells: The Intestinal Stem as a Paradigm" Carcinogenesis 21(3): 469-476</li> <li>69. BANDSMA, Robert H.J. et al. (1998) "Contribution of Newly Synthesized Cholesterol to Rat Plasma and Bile Determined by Mass Isotopomer Distribution Analysis: Bile-Salt Flux Promotes Secretion of Newly Synthesized Cholesterol into Bile" <i>Biochem. J.</i> 329: 699-703</li> <li>70. BANDSMA. Robert H.J. et al. (2000) "The Contribution of Newly Synthesized Cholesterol to Bile Salt Synthesis in Rats Quantified By Mass Isotopomer Distribution Analysis" <i>Biochemica et Biophysica Acta</i></li> </ul>			Presse, Dow Jones News/Retrieval, Feb. 17, 1998, pp. 1-2.	
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<sup>\*</sup>EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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